



June 20, 2014

By Facsimile to (202) 219-3923 and U. S. Mail

Mr. Jeff S. Jordan
Assistant General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 6812
Laborers' International Union, Local 453

Dear Mr. Jordan:

This response to the complaint in MUR 6812 is submitted on behalf of respondent Laborers' International Union, Local 453 (Local 453).

In light of Respondent Local 453's role in the underlying matter, which, as outlined below, was tangential at most, we request that the Federal Election Commission (FEC) find that there is no reason to believe that the Complaint sets forth a violation of the Federal Election Campaign Act. In the alternative, we request that the FEC refer this matter to Alternative Dispute Resolution (ADR) pursuant to its rules prior to any finding by the FEC; or, further alternatively, that the FEC enter into pre-probable cause conciliation consistent with 11 CFR § 111.18(d).

The Parties

Local 453 is a local labor union headquartered in Beckley, WV, with fewer than 300 members, the substantial majority of whom are employed in the construction industry. Local 453 is one of the Laborers' International Union of North America's (LIUNA) affiliates.

LIUNA is an international labor organization of more than 500,000 members.

Penn Line is a corporation based in Scottsdale, PA that does business in West Virginia.

Roger D. Williams

One Union Square, Bldg 2, Suite 201 Charleston, West Virginia 25302
Tel 304.720.2434 rogerwilliamsllaw.com FAX 304.720.2448



The complainant is Jeffrey L. Richmond, a former employee of Penn Line, who is represented by the National Right to Work Legal Defense and Education Foundation, Inc., a group formed to eradicate what they term as "forced-unionism".

Statement of the Case

Local 453 strives to comply with the FEC rules and regulations and the Federal Election Campaign Act.

Mr. Richmond's Complaint does not differentiate between Local 453 and LIUNA, and in fact refers to them collectively as the "Unions". Mr. Richmond's complaint does not differentiate between union dues and political action funds. Local 453 receives union dues from its members. Local 453 does not withhold or deduct, collect, receive, disperse, or anyway administer Political Action Committee (PAC) funds or Laborers' Political League (LPL) funds. Please note that the referral slip that is an exhibit or attachment to the Complaint has two separate sections for authorization for political fund deductions and union dues that require the member's signature in each section. The political funds section states as follows:

VOLUNTARY CHECK-OFF AUTHORIZATION FOR LPL & WVLDC-PAC

I hereby authorize and direct each employer signatory to an agreement with the Laborers' International Union of North America or any of its affiliates for whom I work to deduct from my paycheck .03 cents per hour for each hour worked every pay period and to remit such amount to the Laborers' Political League (LPL) and to deduct from my paycheck .02 cents per hour for each hour worked every pay period and to remit such amount to the West Virginia Laborers' District Council Political Action Committee (WVLDC-PAC) at such times as other remittances are made to the Union.

This authorization is voluntarily made. I understand that the signing of this authorization and the making of payments to LPL and WVLDC-PAC are not conditions of membership in the union or of employment with any employer, that I have a right to refuse to sign this authorization and to contribute to LPL and to WVLDC-PAC without reprisal and that LPL and WVLDC-PAC will use the money which is received to make political expenditures and contributions in connection with federal state and local elections. I also understand that this



amount of money is merely a suggested guideline, that I am free to contribute more or less than this amount by any lawful means other than this check-off and that the union cannot favor or disadvantage me because of the amount of my contribution or my decision not to contribute.

This authorization shall remain in effect until revoked by me in writing. Contributions to Laborers Political League and to West Virginia Laborers District Council Political Action Committee are not deductible as charitable contributions for federal or state income tax purposes.

Three points have been highlighted on the referral slip. The authorization language is clear that the deductions from a member's paycheck to be used for political purposes are withheld (1) by the employer from the member's paycheck, that (2) the authorization to do so must be voluntary, and (3) the member's refusal to contribute cannot be held against him. These referral slips or "check-off slips" are in compliance with the FEC rules and regulations and the Federal Election Campaign Act.

In the instant case, as Mr. Richmond's Complaint states, Local 453 did not present the referral slip to Mr. Richmond. Mr. Richmond was hired by Penn Line and began his employment without Local 453's knowledge. Mr. Richmond's employment ended with Penn Line without Local 453's knowledge. While Local 453 enjoys a very cordial relationship with the union company Penn Line, and appreciates that Penn Line has traditionally treated the union membership with dignity and respect, Penn Line is not an agent for Local 453. Local 453 did not request that Mr. Richmond be hired or be released from Penn Line's employment.

With the exception of paragraphs 15 and 17 of Richmond's Complaint, no allegation is made specifically against Local 453. Allegations in paragraph 15 of Richmond's Complaint state that Local 453 failed to inform Mr. Richmond of the purpose of the union deductions at the time of his "solicitation" from July, 2012, through October 1, 2012. As stated above, Penn Line hired Mr. Richmond without Local 453's knowledge. As stated above, Local 453 does not withhold or deduct, collect, receive, disperse, or in any way administer PAC funds or LPL funds.

The allegations in Paragraph 17 of the Richmond Complaint alleges that Local 453 failed to advise Mr. Richmond that he has a right to refuse to contribute and that it cannot be held against him. Again, Local 453 did not send Mr. Richmond to Penn Line. He was not part of the union when he was hired and of course he was not hired out of the union hall. Mr. Richmond has attached a copy of the referral slip to his Complaint. Local 453 utilizes the referral slip when signing new members that specifically states that political contributions are voluntary and that a member's decision not to contribute cannot be held against him. Local 453 did not (and could



not) release Mr. Richmond from his employment and was unaware of the decision to do so until after the fact. Furthermore, based upon information and belief, Mr. Richmond settled a wrongful termination suit with his employer Penn Line and was invited to return to work at Penn Line. Based on information and belief, Mr. Richmond was reimbursed the PAC and LPL deductions withheld from his paycheck by Penn Line.

Like Penn Line, Local 453 was targeted by Mr. Richmond and the National Right to Work Legal Defense and Education Foundation, Inc. Like Penn Line, Unfair Labor Practices charges were brought against Local 453 by Mr. Richmond before the National Labor Relations Board.

The charges before the NLRB are very similar to the instant Complaint against Local 453 and based on the exact same set of circumstances. Local 453 opted to resolve the matter in the most economic and expeditious way possible. Even though Local 453 did not solicit PAC or LPL funds from Mr. Richmond; and of course no PAC or LPL funds come to Local 453; nor are said funds administered by Local 453, to resolve this matter a settlement was reached wherein Local 453 repaid Mr. Richmond for the PAC and LPL deductions withheld from his paychecks from July through October of 2012, in the amount of \$45.44. A copy of the Settlement Agreement is attached hereto along with proof of the certification of the NLRB required posting, the advising of the Mr. Richmond's *Beck* and *General Motor's* rights, and return receipts showing that he received the refund. Naturally, the settlement is not an admission of any wrong doing or liability on the part of Local 453.

In short, Richmond has been refunded any funds that may have been deducted as PAC and/or LPL contributions and both Local 453 and Penn Line have instituted measures to ensure that any type of violation of the nature alleged by Richmond will not occur in the future.

Conclusion

For the foregoing reasons, the FEC should find that there is no reason to believe that Local 453 violated FECA as alleged with respect to Penn Lines' alleged actions or the alleged receipt of unauthorized PAC contributions. It should therefore take no further action with respect to the complaint filed in this matter. In the alternative, we request that the FEC refer this matter to its ADR office pursuant to its rules prior to any determination of reason-to-believe or, further alternatively, that the FEC enter into pre-probable cause conciliation consistent with 11 CFR 111.18(d).



Thank you for your consideration of this response.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Roger D. Williams'.

Roger D. Williams

RDW:sh
Enclosures
Cc: BillTaraczkozy

**UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT**

IN THE MATTER OF

**LABORERS' INTERNATIONAL UNION OF NORTH AMERICA,
LOCAL 453, AFL-CIO (PENN LINE SERVICE, INCORPORATED)**

Case 09-CB-095975

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING AND MAILING OF NOTICES — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notices to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in prominent places around its facility, including all places where the Charged Party normally posts notices to members. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting. The Charged Party will also copy and mail, at its own expense, a copy of the attached Notice to all current and former employees in the appropriate bargaining unit as defined in the collective-bargaining agreement between it and Penn Line Service, Inc., employed at any time since July 10, 2012. Those Notices will be signed by a responsible official of the Charged Party and show the date of mailing. The Charged Party will provide the Regional Director written confirmation of the date of mailing and a list of names and addresses of members to whom the Notices were mailed.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

BACKPAY — Within 14 days from approval of this agreement, the Charged Party, jointly and severally with Penn Line Service, Inc., will reimburse the employees named below for all Political Action Committee or Political League fees by payment to them of the amount opposite their names with no withholdings.

<u>Name</u>	<u>PAC Fees</u>
Jeffrey Richmond	\$ 45.44
Daniel Schwartz	\$ 77.88

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence. By approving this Agreement the Regional Director withdraws any Complaint(s) and Notice(s) of Hearing previously issued in the above case(s), and the Charged Party withdraws any answer(s) filed in response.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

130044400042

(To be printed and posted on official Board notice form)

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with your employer on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT fail to notify Penn Line Service, Inc. bargaining unit employees, when we first seek to obligate them to pay dues and fees under a union-security clause, of their right to be and remain nonmembers; and of the rights of nonmembers under *Communications Workers v. Beck*, 487 U.S. 735 (1988): (1) to object to paying for union activities not germane to the Union's duties as bargaining agent, and to obtain a reduction in fees for such activities; (2) to receive sufficient information to enable them to intelligently decide whether to object; (3) to be apprised of any internal union procedures for filing objections; and (4) if the employee chooses to object, to be apprised of the percentage of the reduction, the basis for the calculation and the right to challenge these figures.

WE WILL NOT accept monies that Penn Line Service, Inc., deducted from Unit employees' wages notwithstanding the absence of employee authorizations for the deductions and remittance.

WE WILL NOT accept assistance or support from the Employer Penn Line Service, Inc. in presenting and telling Unit employees to sign our PAC Check-off Authorization or that such authorization had to be signed in order to work.

WE WILL NOT, in any like or related manner, restrain or coerce employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act.

WE WILL notify all Penn Line Service, Inc. bargaining unit employees hired on or after July 10, 2012, in writing that they have the right to be or remain nonmembers, and that nonmembers have the right: (1) to object to paying for union activities not germane to our duties as bargaining agent and to obtain a reduction in fees for such activities; (2) to receive sufficient information to enable them to intelligently decide whether to object; (3) to be apprised of any internal procedures for filing objections; and (4) if the employee chooses to object, to be apprised of the percentage of the reduction, the basis for the calculation and the right to challenge these figures.

WE WILL notify in writing those Penn Line Service, Inc. employees whom we initially sought to obligate to pay dues or fees under the union-security clause on or after July 10, 2012, of their right to elect nonmember status and to file *Beck* objections with respect to one or more of the accounting periods covered by the complaint.

ROW
5-13-13

1604402044

WE WILL, with respect to any Penn Line Service, Inc. employees who, with reasonable promptness after receiving the notices prescribed above, elect nonmember status and file *Beck* objections, process their objections.

WE WILL reimburse, with interest, any Penn Line Service, Inc. nonmember unit employees hired on or after July 10, 2012, who file *Beck* objections for any dues and fees exacted from them for nonrepresentational activities, plus interest.

WE WILL, jointly and severally with the Employer Penn Line Service, Inc., reimburse all Penn Line Service, Inc. Unit employees hired since July 10, 2012, for all Political Action Committee or Political League fees deducted from their wages, who were required to sign the Union's Voluntary Check-off Authorization for its Political League and Political Action Committee Authorization, plus interest.

**LABORERS' INTERNATIONAL UNION OF
NORTH AMERICA, LOCAL 453, AFL-CIO**
(Labor Organization)

Dated: 5-13-2013

By:

Will K. Tarasch
(Representative)

- Bus. Mgr.
(Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-866-667-NLRB (1-866-667-6572). Hearing impaired persons may contact the Agency's TTY service at 1-866-315-NLRB. You may also obtain information from the Board's website: www.nlr.gov.

550 MAIN ST
RM 3003
CINCINNATI, OH 45202-3271

Telephone: (513) 684-3686
Hours of Operation: 8:30 a.m. to 5 p.m.

13044402045



May 31, 2013

Jon H. Grove, Compliance Officer
NLRB
Region 09
550 Main St., Rm 3003
Cincinnati, OH 45202-3271

Re: LIUNA Local 453, Case 09-CB-095975

Dear Mr. Grove:

Thank you for taking my calls yesterday and speaking with Mr. Bill Taraczkozy, the Business Manager of Local 453, and me.

Pursuant to our conversation, enclosed please find:

1. Three colored, executed copies of the NOTICE;
2. A single original Certification of Posting;
3. A copy of a transmittal letter to Mr. Jeffrey Richmond stating the *Beck and General Motors* rights, providing a copy of the NOTICE, and check for \$45.44, payable to Mr. Richmond.
4. A copy of a transmittal letter to Mr. Daniel J. Schwartz II stating the *Beck and General Motors* rights, providing a copy of the NOTICE, and check for \$77.88, payable to Mr. Schwartz.

I trust that this concludes this matter. If I can be of further service please contact me.

Sincerely,

Roger D. Williams

RDW:maw
enclosures
cc: Bill Taraczkozy (w/enclosures)

Roger D. Williams

One Union Square, Bldg 2, Suite 201 Charleston, West Virginia 25302
tel 304.720.2434 rogerwilliamsllaw.com fax 304.720.2448

16044402046



NOTICE TO EMPLOYEES AND MEMBERS

POSTED PURSUANT TO A SETTLEMENT AGREEMENT APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD

AN AGENCY OF THE UNITED STATES GOVERNMENT

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with your employer on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT fail to notify Penn Line Service, Inc. bargaining unit employees, when we first seek to obligate them to pay dues and fees under a union-security clause, of their right to be and remain nonmembers; and of the rights of nonmembers under *Communications Workers v. Beck*, 487 U.S. 735 (1988): (1) to object to paying for union activities not germane to the Union's duties as bargaining agent, and to obtain a reduction in fees for such activities; (2) to receive sufficient information to enable them to intelligently decide whether to object; (3) to be apprised of any internal union procedures for filing objections; and (4) if the employee chooses to object, to be apprised of the percentage of the reduction, the basis for the calculation and the right to challenge these figures.

WE WILL NOT accept monies that Penn Line Service, Inc., deducted from Unit employees' wages notwithstanding the absence of employee authorizations for the deductions and remittance.

WE WILL NOT accept assistance or support from the Employer Penn Line Service, Inc. in presenting and telling Unit employees to sign our PAC Check-off Authorization or that such authorization had to be signed in order to work.

WE WILL NOT, in any like or related manner, restrain or coerce employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act.

WE WILL notify all Penn Line Service, Inc. bargaining unit employees hired on or after July 10, 2012, in writing that they have the right to be or remain nonmembers, and that nonmembers have the right: (1) to object to paying for union activities not germane to our duties as bargaining agent and to obtain a reduction in fees for such activities; (2) to receive sufficient information to enable them to intelligently decide whether to object; (3) to be apprised of any internal procedures for filing objections; and (4) if the employee chooses to object, to be apprised of the percentage of the reduction, the basis for the calculation and the right to challenge these figures.

CONTINUED ON PAGE 2

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under this Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: www.nlr.gov and the toll-free number (866) 667-NLRB (6572).

530 Main St., RM 3003; Cincinnati, OH 45202-3271

Telephone: (513) 684-3686 Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE.

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING AND MUST NOT BE ALTERED, DEPACED, OR COVERED BY ANY OTHER MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE'S COMPLIANCE OFFICER.

1604402047

FORM NLRB-4701
(2-08)

NOTICE TO EMPLOYEES AND MEMBERS

**POSTED PURSUANT TO A SETTLEMENT AGREEMENT
APPROVED BY A REGIONAL DIRECTOR OF THE
NATIONAL LABOR RELATIONS BOARD
AN AGENCY OF THE UNITED STATES GOVERNMENT**

PAGE 2

WE WILL notify in writing those Penn Line Service, Inc. employees whom we initially sought to obligate to pay dues or fees under the union-security clause on or after July 10, 2012, of their right to elect nonmember status and to file *Beck* objections with respect to one or more of the accounting periods covered by the complaint.

WE WILL, with respect to any Penn Line Service, Inc. employees who, with reasonable promptness after receiving the notices prescribed above, elect nonmember status and file *Beck* objections, process their objections.

WE WILL reimburse, with interest, any Penn Line Service, Inc. nonmember unit employees hired on or after July 10, 2012, who file *Beck* objections for any dues and fees exacted from them for nonrepresentational activities, plus interest.

WE WILL, jointly and severally with the Employer Penn Line Service, Inc., reimburse all Penn Line Service, Inc. Unit employees hired since July 10, 2012, for all Political Action Committee or Political League fees deducted from their wages, who were required to sign the Union's Voluntary Check-off Authorization for its Political League and Political Action Committee Authorization, plus interest.

**LABORERS' INTERNATIONAL UNION OF
NORTH AMERICA, LOCAL 453, AFL-CIO**
(Labor Organization)

Dated: 5-27-13

By:

(Representative)

(Title)

Bus. Mgr.

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: www.nlr.gov and the toll-free number (866) 687-NLRB (6372).

550 Main St., RM 3003; Cincinnati, OH 45202-3271

Telephone: (513) 684-3686 Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE.

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING AND MUST NOT BE ALTERED, DEFACED, OR COVERED BY ANY OTHER MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE'S COMPLIANCE OFFICER.

16044402048

CERTIFICATION OF POSTING

**RE: LABORERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 453
(PENN LINE SERVICE, INCORPORATED)
Case 09-CB-095975**

1. Physical Posting

The Notice to Employees and Members in the above matter was posted on (date) _____
at the following locations: (List specific places of posting)

Notice was Posted ON 5-29-13 at 2306
South Fayette St., Beckley, WV. on the
Union Hall's Bulletin Board.

CHARGED PARTY/RESPONDENT

By: Will K. Tangley

Title: Business Manager

Date: 5-29-13

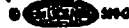
This form should be returned to the Regional Office, together with **THREE** original Notices, dated and signed in the same manner as those posted.

160044402000

Laborers International Union of North America

Local Union No. 453

AFL-CIO



Phone 333-8518
252-8519

P. O. Box 1364
Beckley, W. Va. 25801



Jeffrey Richmond

Meadow Bridge, WV 258976

May 29, 2013

Dear Mr. Richmond,

You have the right to remain a nonmember, and that nonmembers have the right: (1) to object to paying for union activities not germane to our duties as bargaining agent and to obtain a reduction in fees for such activities; (2) to receive sufficient information to enable them to intelligently decide whether to object; (3) to be apprised of any internal procedures for filing objections; and (4) if the employee chooses to object, to be apprised of the percentage of reduction, the basis for the calculation and the right to challenge these figures.

Enclosed, you will find

1. Notice to Employees and Members
2. Refund Check # 15067 in the amount of \$45.44

Sincerely,

William K. Taraczkozy, Bus. Mgr./Sec.-Treas.

CC: Jon H. Groves, NLRB
Roger Williams

**CONSTRUCTION AND GENERAL LABORERS'
LOCAL UNION NO. 459**

WILLIAM W. WILSON
1904-1905

Jeff. Richmond

25-11-2019

**CONSTRUCTION & GENERAL LABORERS
LOCAL UNION 483**

P.O. BOX 1251
SEATTLE, WY 80402

FOR
ATTN: JEFFREY KILCHENKO

FERRY - Five Dollars and forty four cents

CX-7777

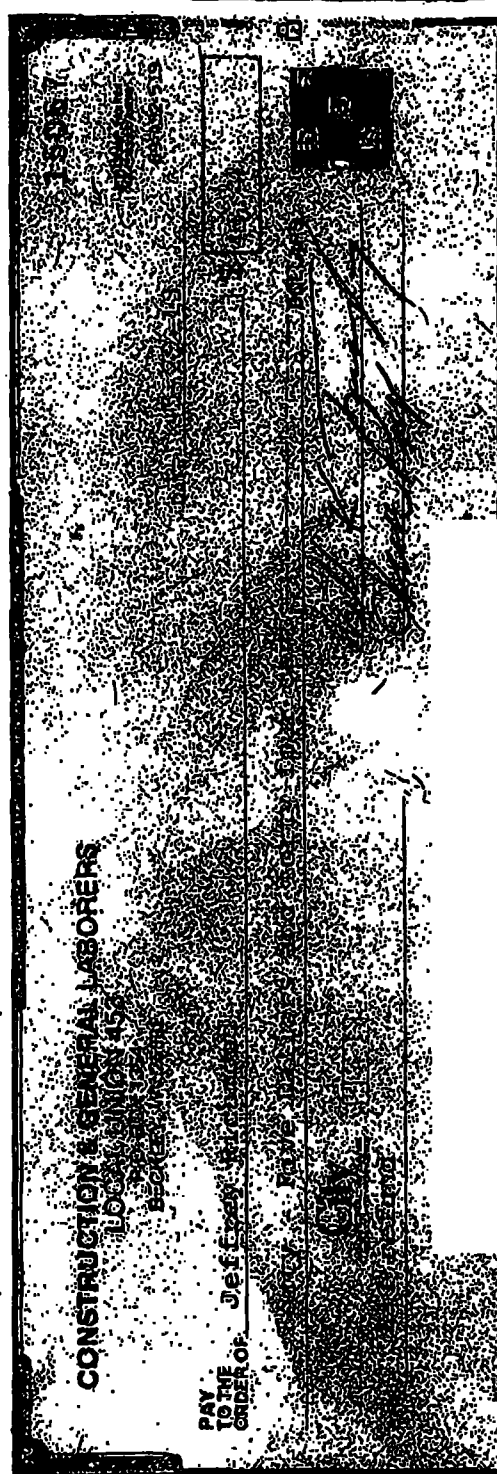
PAID

DATE 5-29-13

\$1.85 AM

148657

[illegible]



2010020440061

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• **Sender:** Please print your name, address, and ZIP+4 in this box •

LABORERS Local 1453
P.O. Box 1354
Beckley, WV 25801



UNION 4444001

Laborers International Union of North America

Local Union No. 453

AFL-CIO



Phone 252-8518
252-8519

P. O. Box 1354
Beckley, W. Va. 25803



Daniel J. Schwartz II

PO Box 184
Sutton, WV 26601

May 29, 2013

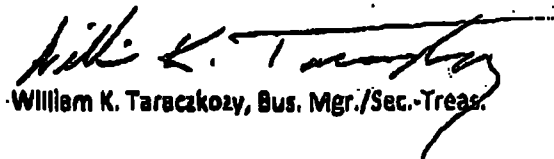
Dear Mr. Schwartz,

You have the right to remain a nonmember, and that nonmembers have the right: (1) to object to paying for union activities not germane to our duties as bargaining agent and to obtain a reduction in fees for such activities; (2) to receive sufficient information to enable them to intelligently decide whether to object; (3) to be apprised of any internal procedures for filing objections; and (4) if the employee chooses to object, to be apprised of the percentage of reduction, the basis for the calculation and the right to challenge these figures.

Enclosed, you will find

1. Notice to Employees and Members
2. Refund Check # 15068 in the amount of \$77.88

Sincerely,


William K. Taraczkozy, Bus. Mgr./Sec.-Treas.

CC: Jon H. Grooves, NLRB
Roger Williams

0000004440001

15053

CONSTRUCTION & GENERAL LABORERS
LOCAL UNION 468
P.O. BOX 1354
BECKLEY, WV 26002

PAY TO THE ORDER OF Daniel Schwanitz

Seventy five and eighth/100

City of Beckley

543

<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below <input type="checkbox"/> No</p> <p>E. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> G.O.D.</p> <p>F. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>1. Article Addressed to: Daniel J. Schwartz II P.O. Box 134 Sutton, WV 26001</p>	
<p>2. Article Number (Transfer from service label) 7005 0390 0001 9674 2405</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102505-02-001040</p>	

UNITED STATES POSTAL SERVICE

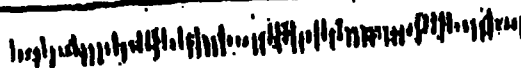
CHARLESTON WV 253

31 MAY 2013 PM 4

First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. 630

• Sender: Please print your name, address, and ZIP+4 in this box •

LABORERS LOCAL UNION 453
P. O. BOX 1354
BECKLEY, W.VA. 26001



1400N0604440001